

REMARKS

Applicant appreciates the Examiner's attention to the above referenced application. Claims 1-27 were rejected. Claims 1, 8, 12, 17, and 24 have been amended. Claims 1-27 are now pending, of which claims 1, 8, 12, 17, and 24 are independent. Based on the amendments and the remarks set forth below, it is respectfully requested that the Examiner reconsider and withdraw all outstanding rejections.

35 USC § 103 Rejection of the Claims

Claims 1-27 were rejected under 35 USC § 103(a) as being unpatentable over Morohashi (U.S. Patent No: 7,130,251) in view of Robinson (U.S. Patent No: 7,072,846). Applicant respectfully traverses this rejection, which should be withdrawn for at least the reasons set forth herein.

Amended independent claim 1 is recited below:

1. A method comprising:
 - creating a play list;
 - occasionally connecting a portable device of a user to a network;
 - submitting the play list to a multimedia content provider through the network, wherein the multimedia content provider gathers multimedia content specified in the play list;
 - downloading the multimedia content to a multimedia content cache in the portable device;
 - disconnecting the portable device from the network;
 - playing the multimedia content on the portable device;
 - recording feedback from the user about the multimedia content specified in the play list, wherein the feedback is recorded on the portable device and the feedback comprises a plurality of ratings, each rating of the plurality of ratings corresponding to a respective title of the multimedia content specified in the play list;
 - uploading the feedback from the portable device to the multimedia content provider when connected to the network, wherein the multimedia content provider uses the plurality of ratings to provide recommended multimedia content to the user; and

selectively downloading the recommended multimedia content to the multimedia content cache in the portable device.

The combination of Morohashi and Robinson does not teach, *inter alia*, recording the feedback on the portable device and uploading the feedback from the portable device to the multimedia content provider. Each of amended independent claims 1, 8, 12, 17, and 24 contains substantially similar recording and uploading claim limitations. The Office Action cites various sections of Robinson for teaching the recording and uploading claim elements, but Robinson is not concerned with portable devices, with recording feedback on the portable devices, or with uploading the feedback from the portable device to a multimedia content provider. The cited portions of Robinson merely describe that users may purchase items through the cluster website and that users may rate their satisfaction with such purchases. Nothing in Robinson suggests that these ratings are entered other than on the cluster website, and thus there is no need to upload the ratings from a portable device. For at least this reason, all elements of amended independent claim 1, 8, 12, 17, and 24 are not taught by the combination of Morohashi and Robinson, and independent claims 1, 8, 12, 17, and 24 and their respective dependent claims are therefore allowable. Applicants respectfully request that claims 1-27 be allowed to pass to issuance.

CONCLUSION

Applicant respectfully requests reconsideration in view of the remarks and amendments set forth above. If the Examiner has any questions, the Examiner is encouraged to contact the undersigned at (512) 732-1303. Please charge any shortage of fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-0221, and please credit any excess fees to such account.

Respectfully submitted,

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